

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

EVOL, INC.	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	3:09-cv-1839-O
SUPPLEMENT SERVICES, LLC d/b/a	§	
MUSCLEMEDS	§	
Defendant.	§	DEMAND FOR JURY TRIAL
	§	

**UNOPPOSED MOTION TO WITHDRAW OF DAVID W. CARSTENS,  
ZACHARY W. HILTON, BOBBY W. BRAXTON, AND AMANDA K. JENKINS AS COUNSEL**

Attorneys David W. Carstens, Zachary W. Hilton, Bobby W. Braxton, and Amanda K. Jenkins of Carstens & Cahoon, LLP, counsel for Plaintiff EVOL, Inc., respectfully file this Motion to Withdraw in accordance with Local Rule 83.12, and move this Court for an order granting their motion to withdraw as counsel for EVOL, Inc. for the reasons set forth below. This Motion is unopposed.

Plaintiff is currently represented by Casey L. Griffith of Klemchuk Kubasta LLP, 8150 North Central Expressway, Ste. 1150, Dallas, Texas 75206. Mr. Griffith made a transition in employment from Carstens & Cahoon, LLP to his current firm, Klemchuk Kubasta LLP on February 3, 2010 and since has taken full responsibility of this litigation. The firm of Carstens & Cahoon, LLP and attorneys David W. Carstens, Zachary W. Hilton, Bobby W. Braxton, and Amanda K. Jenkins no longer have involvement in this litigation and wish to formally withdraw as counsel.

This motion is not being sought for purposes of delay. A proposed order is attached for the Court's consideration.

Respectfully submitted,

/s/ David W. Carstens  
David W. Carstens  
Texas Bar No. 03906900  
Zachary W. Hilton  
Texas Bar No. 24036780  
Bobby W. Braxton  
Texas Bar No. 24059484  
Amanda K. Jenkins  
Texas Bar No. 24054550  
CARSTENS & CAHOON, LLP  
13760 Noel Road, Suite 900  
Dallas, Texas 75240  
Telephone: (972) 367-2001  
Facsimile: (972) 367-2002

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Supplement Services, LLC d/b/a MuscleMeds has stated that his client is not opposed to this motion.

/s/ David W. Carstens  
David W. Carstens

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served on the attorneys of record for all parties to the above cause in accordance with the Federal Rules of Civil Procedure on this 9<sup>th</sup> day of April, 2010.

/s/ David W. Carstens  
David W. Carstens